

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MAPLEVALE FARMS, INC.,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

KOCH FOODS, INC., JCG FOODS OF
ALABAMA, LLC, JCG FOODS OF
GEORGIA, LLC, KOCH MEATS CO., INC.
TYSON FOODS, INC., TYSON CHICKEN, INC.,
TYSON BREEDERS, INC., TYSON POULTRY,
INC., PILGRIM'S PRIDE CORPORATION,
PERDUE FARMS, INC., SANDERSON FARMS,
INC., SANDERSON FARMS, INC. (FOODS
DIVISION), SANDERSON FARMS, INC.
(PRODUCTION DIVISION), SANDERSON
FARMS, INC. (PROCESSING DIVISION),
WAYNE FARMS, LLC, MOUNTAIRE FARMS,
INC., MOUNTAIRE FARMS, LLC, MOUNTAIRE
FARMS OF DELAWARE, INC., PECO FOODS,
INC., FOSTER FARMS, LLC, HOUSE OF
RAEFORD FARMS, INC., SIMMONS FOODS,
INC., FIELDALE FARMS CORPORATION,
GEORGE'S, INC., GEORGE'S FARMS, INC.,
O.K. FOODS, INC., O.K. FARMS, INC., and
O.K. INDUSTRIES, INC.,

Defendants.

Case No. 16-CV-8637

and Related Cases
16-CV-8737; 16-CV-8851;
16-CV-8931; 16-CV-9007;
16-CV-9421; 16-CV-9490
16-CV-9589; 16-CV-9684

Judge Thomas M. Durkin

ORDER

This set of anti-trust cases is about the price of chickens, or more properly, "broilers," which are chickens raised for meat consumption to be slaughtered before the age of 13 weeks. The various defendants sold broilers. There are, broadly

speaking, three sets of plaintiffs. Direct purchasers, as the title implies, bought broilers directly from the defendants. Indirect purchasers bought broilers through a distributor, and appear to resell them (*i.e.*, restaurants). Finally, a subset of indirect purchasers are the consumers who actually purchase the broilers for personal use (*i.e.*, consumption).

The nine separate complaints before the Court are essentially identical but for the two or three lines describing the plaintiffs either as direct purchasers, indirect resellers, or indirect consumer end-use purchasers.

Pending before the Court are three separate motions to appoint interim co-lead and liaison class counsel in the above-titled cases.¹ The Court concludes that interim co-lead and liaison counsel should be appointed in order to achieve efficiency and economy in what is likely to be expensive and complicated litigation, while not jeopardizing fairness to the parties.

The Court is convinced that at the highest level, separate sets of interim lead and liaison counsel need to be appointed for the direct purchaser plaintiff cases and the indirect purchaser plaintiff cases. Such appointments are appropriate under Rule 23(g)(3) of the Federal Rules of Civil Procedure. There currently are three direct purchaser cases pending before the Court (16-CV-8637, 16-CV-8737, 16-CV-9684), and six indirect purchaser cases² pending before the Court (16-CV-8851, 16-

¹ Defendants were invited to weigh in on those motions if they chose to, but have declined.

² An additional indirect purchaser case has recently been filed (16-CV-8874), and a motion to reassign the case to this Court will likely be filed (and granted).

CV-8931, 16-CV-9007, 16-CV-9421, 16-CV-9490, 16-CV-9589). As to the three direct purchaser cases, plaintiffs' counsel has moved the Court (R. 44)³ to appoint W. Joseph Bruckner of Lockridge Grindal Nauen P.L.L.P. ("Lockridge Grindal") and Bruce L. Simon of Pearson, Simon & Warshaw, LLP ("Pearson Simon") as interim co-lead class counsel, and Steven A. Hart of Hart, McLaughlin & Eldridge, LLC ("Hart McLaughlin") as interim liaison class counsel. That motion, which is agreed to between all plaintiffs counsel in the direct purchaser cases, is granted. The Court has carefully reviewed the motion, which sets forth the qualifications of counsel, and also consulted with other judges who are familiar with the particular attorneys and firms. In addition, the Court has considered the factors outlined in Rule 23(g)(1)(A). Interim appointment of the proposed counsel for the direct purchaser plaintiffs is appropriate and the motion is granted.

Also pending before the Court are two separate motions (R. 116, 117) for appointment of interim lead and liaison counsel for the indirect purchaser plaintiffs. One motion (R. 116) seeks appointment for all indirect purchaser plaintiffs of Daniel E. Gustafson and Daniel C. Hedlund of Gustafson Gluek PLLC ("Gustafson Gluek") and Joseph W. Cotchett and Steven N. Williams of Cotchett, Pitre & McCarthy, LLP ("Cotchett, Pitre") to serve as interim co-class counsel, and Wexler Wallace LLP ("Wexler Wallace") to serve as liaison counsel. The other motion (R. 117) seeks appointment of Steve W. Berman of Hagens Berman Sobol Shapiro LLP ("Hagens Berman") and Kit A. Pierson of Cohen Milstein Sellers & Toll PLLC

³ Citations are to the docket in the lead case, 16-CV-8637.

(“Cohen Milstein”) to serve as interim co-lead counsel for the indirect purchaser consumer end users.⁴ The Court has again carefully reviewed the submissions and consulted with other judges who have familiarity with the proposed teams of attorneys. Both sets of attorneys are well qualified based on experience and size of firms and teams to represent all of the indirect purchaser plaintiffs or a sub-set of them.

Counsel for the consumer end user plaintiffs contend that a conflict exists between their clients and the indirect reseller plaintiffs. They identify the conflict to be based on a likely pass-through defense that defendants will inevitably raise as to indirect reseller plaintiffs. That is, any improperly high prices that the indirect resellers had to pay for broilers were passed on to the consumer end user plaintiffs, and thus the indirect reseller plaintiffs suffered no antitrust injury. Consumer end user counsel contend that indirect reseller counsel will attempt to show their clients suffered damages by not passing through the entirety of an inflated price to consumer end users. Consumer end user counsel, seeking to maximize the amount of damages their clients suffered, will attempt to show that all or most of the price increase was passed on to them.

While consumer end user counsel raise a plausible argument about the *potential* for conflict, the Court is not persuaded that it is the best interests of the overall class of plaintiffs to have three separate sets of lead counsel at this stage of the proceedings. Any fees incurred by counsel will almost inevitably result in a

⁴ Proposed lead counsel for the consumer plaintiffs have offices in Chicago so liaison counsel would be them also.


Accordingly, the Court appoints Gustafson Gluek and Cotchett, Pitre to serve as interim co-class counsel, and Wexler Wallace as liaison counsel for all indirect purchaser plaintiffs, whether those plaintiffs bought broilers indirectly for resale or for personal use.

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status. The Court expects sometime after that status to enter a series of orders roughly in the form set forth in § 40.21 of the Manual for Complex Litigation, Fourth (2004). Agreed proposals as to those orders will expedite the organizational aspects of these cases. In addition, parties should be prepared to discuss whether (or when) consolidated complaints will be filed, and the schedule for responsive pleadings.

For the foregoing reasons, the (1) Motion of All Direct Purchaser Plaintiffs To Appoint Interim Co-Lead and Liaison Class Counsel, R. 44, is granted; (2) the Motion for Appointment of Gustafson Gluek PLLC and Cotchett, Pitre & McCarthy, LLP as Interim Class Counsel, and Wexler Wallace LLP as Liaison Counsel For Indirect Purchaser Plaintiffs, R. 116, is granted; and (3) the Application For Appointment Of Steve W. Berman of Hagens Berman Sobol Shapiro LLP and Kit A. Pierson of Cohen Milstein Sellers & Toll PLLC As Co-Lead Counsel For The Indirect Purchaser Consumer Class, R. 117, is denied.

ENTERED:


Honorable Thomas M. Durkin
United States District Judge

Dated: October 14, 2016

EXHIBIT B

LOCKRIDGE
GRINDAL
NAUEN
P.L.L.P.

Attorneys at Law



Exhibit B

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

Founded in 1978, Lockridge Grindal Nauen P.L.L.P. has extensive experience in antitrust, securities, environmental, employment, health care, commercial, intellectual property, and telecommunications law. Our clients include agri-businesses, business enterprises, banks, local governments, trade and industry associations, real estate developers, telecommunications providers, health care professionals, and insurers.

Lockridge Grindal Nauen is one of the preeminent class action law firms in the country, has vast experience representing banks, financial institutions, shareholders, and other institutional investors in complex litigation, and has extensive experience litigating cases in Minnesota and across the country. Lockridge Grindal Nauen P.L.L.P. attorneys are assisted by more than 20 paralegals and government relations specialists, and an extensive support staff. The firm has offices in Minneapolis, Minnesota and Washington, D.C.

ANTITRUST EXPERIENCE

LGN practices extensively in antitrust litigation. The firm has litigated major cases and class actions involving price fixing, industry cartels, predatory pricing, price discrimination, and other antitrust and trade regulation issues in courts nationwide. LGN attorneys have been recognized by courts, peer review publications, and other professional organizations as leading

antitrust lawyers. LGN's antitrust team is made up of 18 attorneys (8 partners and 10 associates and staff attorneys) who have significant experience in antitrust litigation. Five partners heading LGN's antitrust team were named as Super Lawyers in 2016 and another six attorneys were named Rising Stars by Super Lawyers in 2016.

For nearly 40 years, the firm has prosecuted antitrust cases on behalf of large and small businesses injured by price-fixing and other violations of the antitrust laws. In the last ten years alone, LGN and its co-counsel have recovered more than \$2 billion for their clients and class members in antitrust cases involving national and global price-fixing schemes. LGN has served as Lead or Co-Lead Counsel in many antitrust class actions, including:

- *In re Freight Forwarders Antitrust Litigation (Precision Associates, Inc. v. Panalpina World Transport (Holding) Ltd., et al.)*, Case No. 1:08-cv-42-JG-VVP (E.D.N.Y.);
- *In re Broiler Chicken Antitrust Litigation*, Case No. 1:16-cv-08737 (N.D. Ill.);
- *In re Wholesale Grocery Products Antitrust Litig.*, MDL No. 2090, Case No. 0:09-md-2090 (D. Minn.);
- *In re Air Cargo Shipping Services Antitrust Litigation*, Case No. 1:06-md-1775-JG-VVP (E.D.N.Y.);
- *In re Potash Antitrust litigation (II)*, Civil No. 1:08-cv-06910 (N.D. Ill.);
- *In re Flat Glass Antitrust Litigation (II)*, Civil No. 2:08-mc-180-DWA (W.D. Pa.);
- *In re Urethane Antitrust Litigation*, Civil No. 2:04-md-01616-JWL-DJW (D. Kan.);
- *In re Pressure Sensitive Labelstock Antitrust Litigation*, Civil No. 3:03-mdl-01556-TIV (M.D. Pa.); and
- *In re MSG Antitrust Litigation*, Civil No. 00-md-01328-PAM (D. Minn.).

The firm has also played key roles in dozens of other antitrust class actions across the nation for nearly 40 years.

EXHIBIT C

EXHIBIT C**Resume of W. Joseph Bruckner****Biography**

Joseph Bruckner is a partner at Lockridge Grindal Nauen P.L.L.P. Mr. Bruckner leads the firm's antitrust and competition department and practices in complex business litigation in federal and state courts nationwide. He and the firm are regularly appointed lead and co-lead plaintiffs' class counsel by courts in nationwide antitrust litigation. Mr. Bruckner graduated with honors from Creighton University School of Law in 1982, and served as a law clerk to the Honorable Donald P. Lay, then Chief Judge of the United States Court of Appeals for the Eighth Circuit.

Mr. Bruckner serves on the Board of Directors of the American Antitrust Institute, and is a past president and current executive committee member of the Committee to Support the Antitrust Laws (COSAL). He is regularly named a "Super Lawyer" by the Minnesota Journal of Law and Politics, and has served as Chair of the Minnesota State Bar Association Antitrust Law Section. He has co-authored two publications on the private enforcement of antitrust laws in the United States, and frequently speaks and presents at programs and seminars nationwide.

Leadership and Committee Roles in Notable Cases

Joseph Bruckner and LGN have been appointed to leadership roles in numerous MDL and non-MDL class cases. The table below lists the most notable recent leadership appointments for Mr. Bruckner and LGN; a complete list can be provided upon request.

Case Name and No.	Leadership Position	Judicial Contact
<i>In re Freight Forwarders Antitrust Litigation</i> (<i>Precision Associates, Inc. v. Panalpina World Transport (Holding) Ltd., et al.</i>) Civil No. 1:08-cv-42-JG-VVP (E.D.N.Y.)	Co-Lead Counsel	Hon. Brian M. Cogan (718) 613-2230
<i>In re Wholesale Grocery Products Antitrust Litig.</i> MDL No. 2090, Case No. 0:09-md-2090 (D. Minn.)	Co-Lead and Liaison Counsel	Hon. Ann Montgomery (612) 664-5090
<i>In re Potash Antitrust Litig. (II)</i> Civil No. 1:08-md-06910 (N.D. Ill.)	Co-Lead Counsel	Hon. Ruben Castillo (312) 435-5600
<i>In re Flat Glass (II) Antitrust Litig.</i> Civil No. 2:08-mc-180 (W.D. Pa.)	Co-Lead Counsel	Hon. Donetta Ambrose (412) 208-7350
<i>In re Pressure Sensitive Labelstock Antitrust Litig.</i> MDL No. 1556 (M.D. Pa.)	Co-Lead Counsel	Hon. Thomas Vanaskie (570) 207-5720
<i>In re Urethane Antitrust Litig.</i> MDL No. 1616 (D. Kan.)	Co-Lead Counsel	Hon. John Lungstrum (913) 735-2320
<i>In re Monosodium Glutamate Antitrust Litig.</i> MDL No. 1328 (D. Minn.)	Co-Lead Counsel	Hon. Paul Magnuson (651) 848-1150

Resume of W. Joseph Bruckner

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Case Name and No.	Leadership Position	Judicial Contact
<i>Kleen Products LLC, et al. v. Packaging Corporation of America, et al. (Containerboard Antitrust Litig.)</i> Case No. 1:10-cv-5711 (N.D. Ill.)	Executive Committee	Hon. Harry Leinenweber (312) 435-7612
<i>In re Cathode Ray Tube (CRT) Antitrust Litig.</i> MDL No. 1917 (N.D. Cal.)	Executive Committee	Hon. Jon Tigar (415) 522-2036
<i>In re Dental Supplies Antitrust Litigation,</i> Case No. 1:16-cv-00696-BMC-GRB (E.D. N.Y.)	Discovery Committee	Hon. Brian M. Cogan (718) 613-2230
<i>In re Ethylene Propylene Diene Monomer (EPDM) Antitrust Litig.,</i> Case No. 3:03-md-01542 (D. Conn.)	Discovery Committee Chair	Hon. Stefan Underhill (203) 579-5714
<i>In re Hydrogen Peroxide Antitrust Litig.</i> MDL No. 1682 (E.D. Pa.)	Discovery Committee Chair	Hon. Stewart Dalzell (215) 597-9773
<i>In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.</i> MDL No. 1720 (E.D.N.Y.)	Executive Committee	Hon. Margo Brodie (718) 613-2140

EXHIBIT D



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PEARSON | SIMON • WARSHAW LLP

44 Montgomery Street
Suite 2450
San Francisco, CA 94104

[DATE]

VIA ELECTRONIC MAIL

To All Direct Purchaser Plaintiffs' Counsel

Re: *In Re Pork Antitrust Litigation*, Case No. 0:18-cv-01776-JRT-HB (D.MN)

Assessment for Common Cost Litigation Fund &
Time & Expense Report Instructions

Dear Counsel:

As court-appointed Interim Co-Lead Class Counsel for the Direct Purchaser Plaintiffs in this litigation, we are writing to provide you with forms and protocols for reporting your time and expenses. The Court has reviewed and approved these forms and protocols, and firms who wish to apply for payment of attorneys' fees and reimbursement of expenses from settlements or judgments in this case must follow these directives. We also request your contribution to the common cost litigation fund.

Common Cost Litigation Fund

We have incurred expert and related expenses, and expect those to continue in the coming months. When discovery commences, we will establish a discovery database to which each of us will have necessary access. Accordingly, we have established a common cost litigation fund, and ask each of you initially to contribute \$_____ to the fund. Co-Lead Counsel each will contribute \$_____. Please submit your payment by _____, 201__, and make your check payable to:

Pork Antitrust Litigation Fund

and mail it to the attention of:

[FIRM]

Direct Purchaser Plaintiff Counsel
Litigation Fund & Time & Expense Reports
[DATE]
Page 2

[ADDRESS]

Future assessments will be based upon each firm's relative lodestar in the case.

Time and Expense Reporting

To efficiently manage and direct the prosecution of this case, Interim Co-Lead Counsel will collect time and expense reports from each firm. Attached are Excel spreadsheet time and expense report forms to use for reporting your firm's time and expense data. Please submit your time and expense reports along with the detailed back up reports to _____ at [email address]. [His/her] phone number is _____.

Your first time and expense report should cover the time period from inception through _____. This initial report is due on _____. All time is to be reported at the billing rates in effect at the time the work was performed. Your subsequent reports should be done on a monthly basis and submitted by the **20th day of the month** for the preceding month. Please keep your time and expense reporting current. Failure to do so may be grounds for denying any subsequent request for fees or expense reimbursement.

In your time and expense report, please adhere to these guidelines:

1. Time is to be reported in tenths of an hour.
2. Time is to be recorded by task with a specific amount of time for each task described; do not submit "block billing" with one undifferentiated total time for multiple tasks
3. Time is to be recorded at the billing rate in effect when the work is performed.
4. Time spent on reviewing documents is capped at \$350 per hour.
5. Please do not submit time for any of the following. It will not be compensated or included in any fee petition:
 - work not performed at the request or under the direction of co-lead counsel;
 - duplication of efforts within a firm;
 - time spent in preparing and submitting time and expense reports;
 - "read and review" time unrelated to preparation for or performance of work specifically assigned by co-lead counsel;
 - work associated with any indirect purchaser case;
 - routine clerical tasks (such as "file maintenance" by a paralegal or clerical staff); or

Direct Purchaser Plaintiff Counsel
Litigation Fund & Time & Expense Reports
[DATE]
Page 3

- time associated with work relating to any client or potential client that did not retain your firm for this case.
6. Your expense report should itemize your out-of-pocket, case-related expenses. If you have a “Miscellaneous/Other” expense item on a report, please describe it with sufficient detail to identify the expense and its relation to the case.
 7. Routine office supplies and regular secretarial time should *not* be included as a case expense.
 8. No surcharges should be reflected in or applied to any expenses, including telephone, faxes, and copying.
 9. Each expense claim must be properly documented by a sufficiently detailed receipt or some other form of proof of payment acceptable for ultimate presentation to and approval by the Court. Each firm is to maintain and preserve all detailed receipts and expense documentation for production to Lead Counsel upon request. Cash advances will not be considered for reimbursement without evidence of payment made for an expense related to the case.
 10. Travel expenses should follow these guidelines:
 - Flights of less than six hours should be submitted at coach class rates; flights exceeding six hours may be submitted at business class rates;
 - All flights are to be booked at the lowest fare available;
 - First class airfare should not be submitted and will not be reimbursed;
 - For overnight travel, counsel is to be mindful in selecting reasonable hotel accommodations and restaurants; and
 - Per diem expenses for travel should not exceed \$75 per person per day exclusive of lodging and transportation.

If you have any questions, please call us. We look forward to working with each of you toward a successful resolution of this case.

Direct Purchaser Plaintiff Counsel
Litigation Fund & Time & Expense Reports
[DATE]
Page 4

Very truly yours,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

PEARSON, SIMON & WARSHAW, LLP

W. Joseph Bruckner

Bruce L. Simon

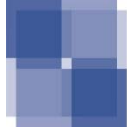
Attachment(s)

IN RE PORK ANTITRUST LITIGATION																							
TIME REPORT - (To be submitted on the 20th of every month)																							
Firm Name:	[NAME]					Reporting Period:					MM/DD/YYYY through MM/DD/YYYY												
Categories:	1) Legal Research 2) Investigation / Factual Research 3) Discovery (Written / Deposition Taking & Defending / Meet & Confer / etc.) 4) Document Review (Including for depo prep, class cert, experts, liability issues, jurisdictional issues, and meetings re doc review)					5) Pleadings, Briefs & Motions (Drafting, Research, Serving & Filing) 6) Class Certification 7) Summary Judgment 8) Appeals 9) Court Appearance and Prep 10) Experts					11) Settlements & Mediation 12) Case Management 13) Class Notice 14) Trial Prep (Exhibit & Witness List/Jury Instruction/Vior Dire/Opening Statements/Closing Arguments/Demonstratives/etc.) 15) Trial					TITLE:		(P) Partner (A) Associate (LC) Law Clerk (SPL) Senior Paralegal (PL) Paralegal					
ATTORNEYS (P, A)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	PREVIOUS HOURS	CURRENT HOURS	CUMULATIVE HOURS	HOURLY RATE	PREVIOUS LODESTAR	CURRENT LODESTAR	CUMULATIVE LODESTAR	
Name (P)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (P)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (A)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (A)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (A)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
SUB-TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		\$0.00	\$0.00	\$0.00	
NON-ATTORNEYS (LC, SPL, PL)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	PREVIOUS HOURS	CURRENT HOURS	CUMULATIVE HOURS	HOURLY RATE	PREVIOUS LODESTAR	CURRENT LODESTAR	CUMULATIVE LODESTAR	
Name (LC)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (LC)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (LC)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (SPL)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (SPL)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (SPL)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (PL)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (PL)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (PL)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Name (PL)																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
																0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	
SUB-TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		\$0.00	\$0.00	\$0.00	
GRAND TOTAL:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		\$0.00	\$0.00	\$0.00	

IN RE PORK ANTITRUST LITIGATION**EXPENSE REPORT - (To be submitted on the 20th of each month)****FIRM NAME:** _____**REPORTING PERIOD:** MM/DD/YYYY through MM/DD/YYYY _____

CATEGORY	DESCRIPTION (If necessary)	PRIOR COSTS	CURRENT COSTS	CUMULATIVE COSTS
Litigation Assessment				\$0.00
Court Costs - Filing Fees				\$0.00
Experts/consultants				\$0.00
Federal Express / UPS /Ontrac				\$0.00
Postage / U.S. Mail				\$0.00
Service of Process				\$0.00
Messenger/delivery				\$0.00
Hearing Transcripts				\$0.00
Investigation				\$0.00
Lexis/westlaw				\$0.00
Photocopies - in House				\$0.00
Photocopies - Outside				\$0.00
Telephone/telecopier				\$0.00
Travel - Transportation (Airplanes - Coach Fares Only)				\$0.00
Travel - Meals (\$75 per person / day cap)				\$0.00
Travel - Hotels				\$0.00
Miscellaneous				\$0.00
TOTAL EXPENSES		\$0.00	\$0.00	\$0.00
TOTAL LODESTAR				\$0.00
TOTAL EXPENSES & LODESTAR		\$0.00	\$0.00	\$0.00

EXHIBIT E



PEARSON | SIMON • WARSHAW LLP

LOS ANGELES

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Fax (612) 389-0610

WWW.PSWLAW.COM

Pearson, Simon & Warshaw, LLP (“PSW”) is an AV-rated civil litigation firm with offices in Los Angeles, San Francisco and Minneapolis. The firm specializes in complex litigation, including state coordination cases and federal multi-district litigation. Its attorneys have extensive experience in antitrust, securities, consumer protection, and unlawful employment practices. The firm handles national and multi-national class actions that present cutting edge issues in both substantive and procedural areas. PSW attorneys understand how to litigate difficult and large cases in an efficient and cost-effective manner, and they have used these skills to obtain outstanding results for their clients, both through trial and negotiated settlement. They are recognized in their field for excellence and integrity, and are committed to seeking justice for their clients.

CASE PROFILES

PSW attorneys currently hold, or have held, a leadership role in the following representative cases:

- *In re Credit Default Swaps Antitrust Litigation*, Southern District of New York, MDL No. 2476. PSW attorneys recently served as co-lead counsel and represented the Los Angeles County Employee Retirement Association (“LACERA”) in a class action on behalf of all purchasers and sellers of Credit Default Swaps (“CDS”) against twelve of the world’s largest banks. The lawsuit alleged that the banks, along with other defendants who controlled the market infrastructure for CDS trading, conspired for years to restrain the efficient trading of CDS, thereby inflating the cost to trade CDS. The alleged antitrust conspiracy resulted in billions of dollars in economic harm to institutional investors such as pension funds, mutual funds, and insurance companies who used CDS to hedge credit risks on their fixed income portfolios. After nearly three years of litigation and many months of intensive settlement negotiations, PSW helped reach a settlement with the defendants totaling \$1.86 billion plus injunctive relief. On April 15, 2016, the Honorable Denise L. Cote granted final approval to the settlement, which is one of the largest civil antitrust settlements in history.
- *In re TFT-LCD (Flat Panel) Antitrust Litigation*, Northern District of California, MDL No. 1827. PSW served as co-lead counsel for the direct purchaser plaintiffs in this multidistrict litigation arising from the price-fixing of thin film transistor liquid crystal display (“TFT-

PEARSON, SIMON & WARSHAW, LLP

LCD”) panels. Worldwide, the TFT-LCD industry is a multi-billion dollar industry, and many believe that this was one of the largest price-fixing cases in the United States. PSW helped collect over \$405 million in settlements before the case proceeded to trial against the last remaining defendant, Toshiba Corporation and its related entities. PSW partner Bruce L. Simon served as co-lead trial counsel, successfully marshaled numerous witnesses, and presented the opening argument. On July 3, 2012, PSW obtained a jury verdict of \$87 million (before trebling) against Toshiba. PSW later settled with Toshiba and AU Optronics to bring the total to \$473 million in settlements. In 2013, California Lawyer Magazine awarded Mr. Simon a California Lawyer of the Year Award for his work in the *TFT-LCD* case.

- *In re Potash Antitrust Litigation (No. II)*, Northern District of Illinois, MDL No. 1996. PSW partner Bruce L. Simon served as interim co-lead counsel for the direct purchaser plaintiffs in this multidistrict litigation arising from the price-fixing of potash sold in the United States. After the plaintiffs defeated a motion to dismiss, the defendants appealed, and the Seventh Circuit Court of Appeals agreed to hear the case *en banc*. Mr. Simon presented oral argument to the *en banc* panel and achieved a unanimous 8-0 decision in his favor. The case resulted in \$90 million in settlements for the direct purchaser plaintiffs, and the Court’s opinion is one of the most significant regarding the scope of international antitrust conspiracies. See *Minn-Chem, Inc. v. Agrum Inc.*, 683 F. 3d 845 (7th Cir. 2012).
- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation*, Northern District of California, MDL No. 2451. PSW attorneys currently serve as interim co-lead counsel in this multidistrict litigation that alleges the NCAA and its member conferences violate the antitrust laws by restricting the value of grant-in-aid athletic scholarships and other benefits that college football and basketball players can receive. PSW settled the damages case, recently obtaining final approval to a \$208 million dollar settlement. The injunctive portion of the case is still pending.
- *In re German Auto Manufacturers Antitrust Litigation*, Northern District of California, MDL No. 2796. Bruce L. Simon is serving as chairman of the Plaintiffs’ Steering Committee and co-lead counsel for the Indirect Purchaser Plaintiffs in this multidistrict antitrust litigation. The complaint alleges that certain German car manufacturers unlawfully coordinated on several key car components, actively limiting the pace and extent of innovation, while also acting to promote consumers’ perception of German cars as commanding a price premium.
- *In re Broiler Chicken Antitrust Litigation*, Northern District of Illinois, Case No. 1:16-cv-08637. PSW attorneys currently serve as interim co-lead counsel on behalf of direct purchaser plaintiffs. The complaint alleges that the nation’s largest broiler chicken producers violated antitrust laws by limiting production and manipulating the price indices.
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.*, Northern District of California Case No. 4:17-cv-05343-JSW. PSW attorneys currently serve as Plaintiffs’ counsel in this

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copyright class action alleging that Defendants broadcasted, continue to broadcast, or otherwise make available to the public, copyrighted musical works of Plaintiffs and the Class without proper licenses, as required under the Copyright Act.

- *Grace v. Apple, Inc.*, Northern District of California, 5:17-CV-00551. PSW partner Daniel L. Warshaw currently serves as counsel in this putative nationwide class action on behalf of consumers who allege Apple intentionally broke its “FaceTime” video conferencing feature for Apple iPhone 4 or iPhone 4S users operating on iOS 6 or earlier.
- *Trepte v. Bionaire, Inc.*, Los Angeles County Superior Court, Case No. BC540110. PSW attorneys currently serve as Class Counsel in this certified class action alleging that the defendant sold defective space heaters. The complaint alleges that defendant breached the warranty and falsely advertised the safety of the heaters due to design defects that cause the heaters to fail. As a result of the failure, the heaters may spark, smoke and catch fire. PSW continues to vigorously litigate this important lawsuit.
- *In re Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation*, District of New Mexico, Case No. 1:16-md-02695-JB-LF. PSW partner Melissa S. Weiner chairs the Executive Committee and PSW partner Daniel L. Warshaw serves on the executive committee. This class action alleges that Defendants’ “natural” and “additive free” claims on their tobacco products were false and misleading to consumers. PSW continues to vigorously litigate this important lawsuit.
- *In re Keurig Green Mountain Single-Serving Coffee Antitrust Litigation*, Southern District of New York, MDL No. 2542. In June 2014, Judge Vernon S. Broderick appointed PSW to serve as interim co-lead counsel on behalf of indirect purchaser plaintiffs in this multidistrict class action litigation. The case arises from the alleged unlawful monopolization of the United States market for single-serve coffee packs by Keurig Green Mountain, Inc. Keurig’s alleged anticompetitive conduct includes acquiring competitors, entering into exclusionary agreements with suppliers and distributors to prevent competitors from entering the market, engaging in sham patent infringement litigation, and redesigning the single-serve coffee pack products in the next version of its brewing system to lock out competitors’ products.
- *Senne, et al. v. Office of the Commissioner of Baseball, et al.*, Northern District of California, Case No. 14-cv-0608. PSW attorneys currently serve as interim co-lead counsel in this putative nationwide class action and FLSA collective action on behalf of minor league baseball players who allege that Major League Baseball and its member franchises violate the FLSA and state wage and hour laws by failing to pay minor league baseball players minimum wage and overtime.
- *In re KIND LLC “Healthy and All Natural” Litigation*, Southern District of New York, MDL No. 2645. PSW partner Daniel L. Warshaw currently serves as interim co-lead counsel in this putative nationwide class action on behalf of consumers who allege that

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they purchased KIND snack bars that were falsely advertised as “all natural,” “non-GMO,” and/or “healthy.”

- *In re Carrier IQ Consumer Privacy Litigation*, Northern District of California, MDL No. 2330. PSW attorneys currently serve as interim co-lead counsel in this putative nationwide class action on behalf of consumers who allege privacy violations arising from software installed on their mobile devices that was logging text messages and other sensitive information.
- *Sciortino, et al. v. PepsiCo, Inc.*, Northern District of California, Case No. 14-cv-0478. PSW attorneys served as interim co-lead counsel in this putative California class action on behalf of consumers who allege that PepsiCo failed to warn them that certain of its sodas contain excess levels of a chemical called 4-Methylimidazole in violation of Proposition 65 and California consumer protection statutes.
- *James v. UMG Recordings, Inc.*, Northern District of California, Case No. 11-cv-01613. PSW partner Daniel L. Warshaw served as interim co-lead counsel in this putative nationwide class action on behalf of recording artists and music producers who alleged that they had been systematically underpaid royalties by the record company UMG.
- *In re Warner Music Group Corp. Digital Downloads Litigation*, Northern District of California, Case No. 12-cv-00559. PSW attorneys served as interim co-lead counsel, with partner Bruce L. Simon serving as chairman of a five-firm executive committee, in this putative nationwide class action on behalf of recording artists and music producers who alleged that they had been systematically underpaid royalties by the record company Warner Music Group.
- *In re Dynamic Random Access Memory (DRAM) Antitrust Litigation*, Northern District of California, MDL No. 1486. PSW partner Bruce L. Simon served as co-chair of discovery and as a member of the trial preparation team in this multidistrict litigation arising from the price-fixing of DRAM, a form of computer memory. Mr. Simon was responsible for supervising and coordinating the review of almost a terabyte of electronic documents, setting and taking depositions, establishing and implementing protocols for cooperation between the direct and indirect plaintiffs as well as the Department of Justice, presenting oral arguments on discovery matters, working with defendants on evidentiary issues in preparation for trial, and preparation of a comprehensive pretrial statement. Shortly before the scheduled trial, class counsel reached settlements with the last remaining defendants, bringing the total value of the class settlements to over \$325 million.
- *In re Methionine Antitrust Litigation*, Northern District of California, MDL No. 1311. PSW partner Bruce L. Simon served as co-lead counsel in this nationwide antitrust class action involving a conspiracy to fix prices of, and allocate the markets for, methionine. Mr. Simon was personally responsible for many of the discovery aspects of the case including electronic document productions, coordination of document review teams, and

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depositions. Mr. Simon argued pretrial motions, prepared experts, and assisted in the preparation of most pleadings presented to the Court. This action resulted in over \$100 million in settlement recovery for the Class.

- *In re Sodium Gluconate Antitrust Litigation*, Northern District of California, MDL No. 1226. PSW partner Bruce L. Simon served as class counsel in this consolidated antitrust class action arising from the price-fixing of sodium gluconate. Mr. Simon was selected by Judge Claudia Wilken to serve as lead counsel amongst many other candidates for that position, and successfully led the case to class certification and settlement.
- *In re Citric Acid Antitrust Litigation*, Northern District of California, MDL No. 1092. PSW partner Bruce L. Simon served as class counsel in antitrust class actions against Archer-Daniels Midland Co. and others for their conspiracy to fix the prices of citric acid, a food additive product. Mr. Simon was one of the principal attorneys involved in discovery in this matter. This proceeding resulted in over \$80 million settlements for the direct purchasers.
- *Olson v. Volkswagen of America, Inc.*, Central District of California, Case No. CV07-05334. PSW attorneys brought this class action lawsuit against Volkswagen alleging that the service manual incorrectly stated the inspection and replacement intervals for timing belts on Audi and Volkswagen branded vehicles equipped with a 1.8 liter turbo-charged engine. This case resulted in a nationwide class settlement.
- *Swain et al. v. Eel River Sawmills, Inc. et al.*, California Superior Court, DR-01-0216. Bruce L. Simon served as lead trial counsel for a class of former employees of a timber company whose retirement plan was lost through management's investment of plan assets in an Employee Stock Ownership Plan. Mr. Simon negotiated a substantial settlement on the eve of trial resulting in a recovery of approximately 40% to 50% of plaintiffs' damages after attorneys' fees and costs.
- *In re Hawaiian and Guamanian Cabotage Antitrust Litigation*, Western District of Washington, MDL No. 1972. PSW partner Bruce L. Simon served as interim co-lead counsel for the plaintiffs in this multidistrict litigation arising from violations of the federal antitrust laws with respect to domestic ocean shipping services between the continental United States and Hawaii and/or between the continental United States and the Territory of Guam.
- *In re Homestore Litigation*, Central District of California, Master File No. 01-11115. PSW attorneys served as liaison counsel and class counsel for plaintiff CalSTRS in this securities class action. The case resulted in over \$100 million in settlements to the Class.
- *In re MP3.Com, Inc., Securities Litigation*, Southern District of California, Master File No. 00-CV-1873. PSW attorneys served as defense counsel in this class action involving alleged securities violations under Rule 10b-5.

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- *In re Automotive Refinishing Paint Cases*, Alameda County Superior Court, Judicial Council Coordination Proceeding No. 4199. PSW attorneys served as class counsel with other law firms in this coordinated antitrust class action alleging a conspiracy by defendants to fix the price of automotive refinishing products.
- *In re Beer Antitrust Litigation*, Northern District of California, Case No. 97-20644 SW. PSW partner Bruce L. Simon served as primary counsel in this antitrust class action brought on behalf of independent micro-breweries against Anheuser-Busch, Inc., for its attempt to monopolize the beer industry in the United States by denying access to distribution channels.
- *In re Commercial Tissue Products Public Entity Indirect Purchaser Antitrust Litigation*, San Francisco Superior Court, Judicial Council Coordination Proceeding No. 4027. PSW partner Bruce L. Simon served as co-lead counsel for the public entity purchaser class in this antitrust action arising from the price-fixing of commercial sanitary paper products.
- *Hart v. Central Sprinkler Corporation*, Los Angeles County Superior Court, Case No. BC176727. PSW attorneys served as class counsel in this consumer class action arising from the sale of nine million defective fire sprinkler heads. This case resulted in a nationwide class settlement valued at approximately \$37.5 million.
- *Rueda v. Schlumberger Resources Management Services, Inc.*, Los Angeles County Superior Court, Case No. BC235471. PSW attorneys served as class counsel with other law firms representing customers of the Los Angeles Department of Water & Power (“LADWP”) who had lead leaching water meters installed on their properties. The Court granted final approval of the settlement whereby defendant would pay \$1.5 million to a *cy pres* fund to benefit the Class and to make grants to LADWP to assist in implementing a replacement program to the effected water meters.
- *In re Louisiana-Pacific Corp. Inner-Seal OSB Trade Practices Litigation*, Northern District of California, MDL No. 1114. PSW partner Bruce L. Simon worked on this nationwide product defect class action brought under the Lanham Act. The proposed class was certified, and a class settlement was finally approved by Chief Judge Vaughn Walker.
- *In re iPod nano Cases*, Los Angeles County Superior Court, Judicial Council Coordination Proceeding No. 4469. PSW attorneys were appointed co-lead counsel for this class action brought on behalf of California consumers who own defective iPod nanos. The case resulted in a favorable settlement.
- *Unity Entertainment Corp. v. MP3.Com*, Central District of California, Case No. 00-11868. PSW attorneys served as defense counsel in this class action alleging copyright infringement.

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- *Vallier v. Jet Propulsion Laboratory*, Central District of California, Case No. CV97-1171. PSW attorneys served as lead counsel in this toxic tort action involving 50 cancer victims and their families.
- *Nguyen v. First USA N.A.*, Los Angeles County Superior Court, Case No. BC222846. PSW attorneys served as class counsel on behalf of approximately four million First USA credit card holders whose information was sold to third party vendors without their consent. This case ultimately settled for an extremely valuable permanent injunction plus disgorgement of profits to worthy charities.
- *Morales v. Associates First Financial Capital Corporation*, San Francisco Superior Court, Judicial Council Coordination Proceeding No. 4197. PSW attorneys served as class counsel in this case arising from the wrongful sale of credit insurance in connection with personal and real estate-secured loans. This case resulted in an extraordinary \$240 million recovery for the Class.
- *In re AEFA Overtime Cases*, Los Angeles County Superior Court, Judicial Council Coordination Proceeding No. 4321. PSW attorneys served as class counsel in this overtime class action on behalf of American Express Financial Advisors, which resulted in an outstanding classwide settlement.
- *Khan v. Denny's Holdings, Inc.*, Los Angeles County Superior Court, Case No. BC177254. PSW attorneys settled a class action lawsuit against Denny's for non-payment of overtime wages to its managers and general managers.
- *Kosnik v. Carrows Restaurants, Inc.*, Los Angeles County Superior Court, Case No. BC219809. PSW attorneys settled a class action lawsuit against Carrows Restaurants for non-payment of overtime wages to its assistant managers and managers.
- *Castillo v. Pizza Hut, Inc.*, Los Angeles County Superior Court, Case No. BC318765. PSW attorneys served as lead class counsel in this California class action brought by delivery drivers who claimed they were not adequately compensated for use of their personally owned vehicles. This case resulted in a statewide class settlement.
- *Baker v. Charles Schwab & Co., Inc.*, Los Angeles County Superior Court, Case No. BC286131. PSW attorneys served as class counsel for investors who were charged a fee for transferring out assets between June 1, 2002 and May 31, 2003. This case resulted in a nationwide class settlement.
- *Eallonardo v. Metro-Goldwyn-Mayer, Inc.*, Los Angeles County Superior Court, Case No. BC286950. PSW attorneys served as class counsel on behalf a nationwide class of consumers who purchased DVDs manufactured by defendants. Plaintiffs alleged that

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defendants engaged in false and misleading advertising relating to the sale of its DVDs. This case resulted in a nationwide class settlement.

- *Gaeta v. Centinela Feed, Inc.*, Los Angeles County Superior Court, Case No. BC342524. PSW attorneys served as defense counsel in this class action involving alleged failures to pay wages, overtime, employee expenses, waiting time penalties, and failure to provide meal and rest periods and to furnish timely and accurate wage statements.
- *Leiber v. Consumer Empowerment Bv A/K/A Fasttrack*, Central District of California, Case No. CV 01-09923. PSW attorneys served as defense counsel in this class action involving copyrighted music that was made available through a computer file sharing service without the publishers' permission.
- *Higgs v. SUSA California, Inc.*, Los Angeles County Superior Court Case No. BC372745. PSW attorneys are serving as co-lead class counsel representing California consumers who entered into rental agreements for the use of self-storage facilities owned by defendants. In this certified class action, plaintiffs allege that defendants wrongfully denied access to the self-storage facility and/or charged excessive pre-foreclosure fees.
- *Fournier v. Lockheed Litigation*, Los Angeles County Superior Court. PSW attorneys served as counsel for 1,350 residents living at or near the Skunks-Works Facility in Burbank. The case resolved with a substantial confidential settlement for plaintiffs.
- *Nasseri v. CytoSport, Inc.*, Los Angeles County Superior Court, Case No. 439181. PSW attorneys served as class counsel on behalf of a nationwide class of consumers who purchased CytoSport's popular protein powders, ready to drink protein beverages, and other "supplement" products. Plaintiffs alleged that these supplements contain excessive amounts of lead, cadmium and arsenic in amounts that exceed Proposition 65 and negate CytoSport's health claims regarding the products. The case resulted in a nationwide class action settlement which provided monetary relief to the class members and required the reformulation of CytoSport supplement products.
- *In re Samsung Top-Load Washing Machine Marketing, Sales Practice and Products Liability Litigation*, Western District of Oklahoma, Case No. 5:17-ml-02792-D. Plaintiffs allege that the top-load washing machines contain defects that cause them to leak and explode. PSW Partner Melissa S. Weiner was appointed to the Plaintiffs' Steering Committee in this multi-district class action.

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ATTORNEY PROFILES

PARTNERS

CLIFFORD H. PEARSON

Clifford H. Pearson is a civil litigator and business lawyer focusing on complex litigation, class actions, and business law. In 2013 and 2016, Mr. Pearson was named by the *Daily Journal* as one of the Top 100 lawyers in California. He was instrumental in negotiating a landmark settlement totaling \$1.86 billion in *In re Credit Default Swaps Antitrust Litigation*, a case alleging a conspiracy among the world's largest banks to maintain opacity of the credit default swaps market. Mr. Pearson also negotiated settlements totaling \$208 million in *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation*, an antitrust class action alleging that the NCAA and its member conferences violated the antitrust laws by restricting the value of grant-in-aid athletic scholarships and other benefits that college football and basketball players can receive, \$473 million in combined settlements in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, an antitrust case in the Northern District of California that alleged a decade-long conspiracy to fix the prices of TFT-LCD panels, and over \$90 million in *In re Potash Antitrust Litigation*, an antitrust case in the Northern District of Illinois that alleged price fixing by Russian, Belarusian and North American producers of potash, a main ingredient used in fertilizer.

Before creating the firm in 2006, Mr. Pearson was a partner at one of the largest firms in the San Fernando Valley, where he worked for 22 years. There, he represented aggrieved individuals, investors and employees in a wide variety of contexts, including toxic torts, consumer protection and wage and hour cases. Over his 30-plus year career, Mr. Pearson has successfully negotiated substantial settlements on behalf of consumers, small businesses and companies. In recognition of his outstanding work on behalf of clients, Mr. Pearson has been regularly selected by his peers as a Super Lawyer (representing the top 5% of practicing lawyers in Southern California). He has also attained Martindale-Hubbell's highest rating (AV) for legal ability and ethical standards.

Mr. Pearson is an active member of the American Bar Association, Canadian Bar Association, Los Angeles County Bar Association, Consumer Attorneys of California, Consumer Attorneys Association of Los Angeles, Association of Business Trial Lawyers and a Practitioner of Foreign Law in British Columbia, Canada.

Current Cases:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation* (N.D. Cal.)
- *Tami Trepte v. Bionaire, Inc.* (Cal. Sup. Ct.)

PEARSON, SIMON & WARSHAW, LLP

Education:

- Whittier Law School, Los Angeles, California – J.D. – 1981
- University of Miami, Miami, Florida – M.B.A. – 1978
- Carleton University, Ontario, Canada – B.A. – 1976

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- American Bar Association
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association

BRUCE L. SIMON

Bruce L. Simon has led Pearson, Simon & Warshaw, LLP to national prominence. Mr. Simon specializes in complex cases involving antitrust, consumer fraud, and securities laws. He has served as lead counsel in many business cases with national and global impact.

In 2018, Mr. Simon was awarded “Antitrust Lawyer of the Year” by the California Lawyers Association. In 2013 and 2016, Mr. Simon was chosen by the *Daily Journal* as one of the Top 100 attorneys in California. In 2013, he received the California Lawyer of the Year award from *California Lawyer Magazine* and was selected as one of seven finalists for Consumer Attorney of the Year by Consumer Attorneys of California for his work in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827 (N.D. Cal.). That year, Mr. Simon was included in the Top 100 of California’s “Super Lawyers” and has been named a “Super Lawyer” every year since 2003. He has attained Martindale-Hubbell’s highest rating (AV) for legal ability and ethical standards.

Mr. Simon was co-lead class counsel in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, a case that lasted over five years and resulted in \$473 million recovered for the direct purchaser plaintiffs. Mr. Simon served as co-lead trial counsel and was instrumental in obtaining an \$87 million jury verdict (before trebling). He presented the opening argument and marshalled numerous witnesses during the six-week trial.

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More recently, Mr. Simon was co-lead class counsel in *In re Credit Default Swaps Antitrust Litigation*, a case alleging a conspiracy among the world's largest banks to maintain opacity of the credit default swaps market as a means of maintaining supracompetitive prices of bid/ask spreads. After three years of litigation and many months of intensive settlement negotiations, the parties in *CDS* reached a landmark settlement amounting to \$1.86 billion. It is one of the largest civil antitrust settlements in history.

Mr. Simon was also co-lead class counsel in *In re Potash Antitrust Litigation (II)*, MDL No. 1996 (N.D. Ill.), where he successfully argued an appeal of the district court's order denying the defendants' motions to dismiss to the United States Court of Appeals for the Seventh Circuit. Mr. Simon presented oral argument during an *en banc* hearing before the Court and achieved a unanimous 8-0 decision in his favor. The case resulted in \$90 million in settlements for the direct purchaser plaintiffs, and the Court's opinion is one of the most significant regarding the scope of international antitrust conspiracies.

Current Cases:

- *In re Keurig Green Mountain Single-Serving Coffee Antitrust Litigation* (S.D.N.Y.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation* (N.D. Cal.)
- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)

Reported Cases:

- *Minn-Chem, Inc. et al. v. Agrum Inc., et al.*, 683 F.3d 845 (7th Cir. 2012)

Education:

- University of California, Hastings College of the Law, San Francisco, California – J.D. – 1980
- University of California, Berkeley, California – A.B. – 1977

Bar Admissions:

- California
- Supreme Court of the United States
- Ninth Circuit Court of Appeals
- Seventh Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

PEARSON, SIMON & WARSHAW, LLP**Recent Publications:**

- Class Certification Procedure, Ch. V, ABA Antitrust Class Actions Handbook (3d ed.), (forthcoming)
- Reverse Engineering Your Antitrust Case: Plan for Trial Even Before You File Your Case, Antitrust, Vol. 28, No. 2, Spring 2014
- *The Ownership/Control Exception to Illinois Brick in Hi-Tech Component Cases: A Rule That Recognizes the Realities of Corporate Price Fixing*, ABA International Cartel Workshop February 2014
- *Matthew Bender Practice Guide: California Unfair Competition and Business Torts*, LexisNexis, with Justice Conrad L. Rushing and Judge Elia Weinbach (Updated 2013)
- *The Questionable Use of Rule 11 Motions to Limit Discovery and Eliminate Allegations in Civil Antitrust Complaints in the United States*, ABA International Cartel Workshop February 2012

Professional Associations and Memberships:

- California State Bar Antitrust and Unfair Competition Section, Advisor and Past Chair
- ABA Global Private Litigation Committee, Co-Chair
- ABA International Cartel Workshop, Steering Committee
- American Association for Justice, Business Torts Section, Past Chair
- Business Torts Section of the American Trial Lawyers Association, Past Chair
- Hastings College of the Law, Board of Directors (2003-2015), Past Chair (2009-2011)

DANIEL L. WARSHAW

Daniel L. Warshaw is a civil litigator and trial lawyer who focuses on complex litigation, class actions, and consumer protection. Mr. Warshaw has held a lead role in numerous state and federal class actions, and obtained significant recoveries for class members in many cases. These cases have included, among other things, antitrust violations, high-technology products, automotive parts and false and misleading advertising. Mr. Warshaw has also represented employees and employers in a variety of class actions, including wage and hour, misclassification and other Labor Code violations.

Mr. Warshaw played an integral role in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, where he negotiated the ESI protocol and managed a document review process that featured nearly 8 million documents in multiple languages and 136 reviewers. He currently serves as interim co-lead counsel in a series of groundbreaking class actions involving the alleged underpayment of royalties to artists, producers and directors in the music and film industries. These cases have received significant attention in the press, and Mr. Warshaw has been profiled by the *Daily Journal* for his work in the digital download music cases. In recognition of his outstanding work, Mr. Warshaw has been selected by his peers as a Super Lawyer (representing the top 5% of practicing lawyers in Southern California) every year since 2005. He has also attained Martindale-Hubbell's highest rating (AV) for legal ability and ethical standards.

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Mr. Warshaw has assisted in the preparation of two Rutter Group practice guides: *Federal Civil Trials & Evidence* and *Civil Claims and Defenses*. Since 2012, Mr. Warshaw has served as the Chair of the Plaintiffs' Class Action Forum sponsored by Cambridge International Forums, Inc. The purpose of the Forum is to facilitate a high-level exchange of ideas and in-depth dialogue on class action litigation.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re KIND LLC "Healthy and All Natural" Litigation* (S.D.N.Y.)
- *In re Carrier IQ, Inc., Consumer Privacy Litigation* (N.D. Cal.)
- *Higgins v. Paramount Pictures Corp.* (and related cases) (LA Sup. Ct.)
- *In re German Auto Manufacturers Antitrust Litigation* (N.D. Cal.)
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.* (N.D. Cal.)
- *In re. Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)
- *Grace v. Apple, Inc.* (N.D. Cal.)
- *Trepte v. Bionaire, Inc.* (Cal. Sup. Ct.)

Education:

- Whittier Law School, Los Angeles, California – J.D. – 1996
- University of Southern California – B.A. – 1992

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- American Bar Association
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association, Executive Committee of the Litigation Section
- Plaintiffs' Class Action Forum, Chair

PEARSON, SIMON & WARSHAW, LLP**MELISSA S. WEINER**

Melissa S. Weiner is a civil litigator whose work is squarely focused on combating consumer deception, particularly in the consumer products arena. Ms. Weiner has taken a leadership role in numerous large class actions and multi-district litigations in cases across the country. These include cases challenging tobacco marketing, predatory pricing for low-income consumers, defective construction products, and misleading food and product labels. Ms. Weiner's astute legal skills and steadfast determination have brought success in the courtroom and at the negotiation table, where she is known to work tirelessly to achieve resolutions that are creative and fair.

A contributor to her professional community, Ms. Weiner serves on the Executive Board for Public Justice, co-chairs the Mass Tort and Class Action practice group for the Minnesota Chapter of the Federal Bar Association and serves on the Minnesota Bar Association Food & Drug Law Council. Equally committed to non-profit service outside the legal community, Ms. Weiner serves as the under 40 chair campaign chair for the Twin Cities Cardozo Society, an affinity group for the Minneapolis Jewish Federation. In recognition of her outstanding efforts in the legal community, each year since 2012, Melissa has been named a Super Lawyers *Rising Star* by Minnesota Law & Politics.

Melissa's community service also reflects a particular commitment to organizations and initiatives benefiting children. She established the Young Professionals Committee for Make-A-Wish™ of Minnesota, which grants inspiring wishes to numerous recipients each year and currently acts as the fundraising chair for the SOAR Leadership Council, an arm of Children's Cancer Research Fund, which supports the next generation of emerging scientists battling childhood cancer.

Current Cases:

- *In re. Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)
- *In re. Samsung Top-Load Washing Machine Marketing, Sales Practices, and Products Liability Litigation* (W.D. Okla.)

Education:

- William Mitchell College of Law - J.D. – 2007
- University of Michigan – Ann Arbor - B.A. – 2004

Bar Admissions:

- Minnesota
- U.S. District Court, District of Minnesota

Professional Associations and Memberships:

- Minnesota State Bar Association
- Federal Bar Association
- Public Justice

PEARSON, SIMON & WARSHAW, LLP**OF COUNSEL****NEIL SWARTZBERG**

Neil Swartzberg, Of Counsel to Pearson, Simon & Warshaw, LLP, has significant litigation and counseling experience, with a track record of providing advice and representation to individuals and companies on a variety of technology, consumer and finance related matters. He has expertise in complex and commercial litigation, including in the intellectual property, consumer protection, antitrust, securities and class action context. Practicing in both federal and state courts, he has litigated price-fixing class actions, securities fraud suits and other consumer protection cases, as well as patent infringement, trade secret misappropriation and related intellectual property matters. Mr. Swartzberg also has experience negotiating licenses and similar agreements to resolve disputes in technology areas such the Internet, online banking, and telecommunications.

Mr. Swartzberg was a leading attorney in the Direct Purchaser Plaintiff class action *In re Static Random Access Memory (SRAM) Antitrust Litigation* (N.D. Cal.). He was also actively involved in several other antitrust class actions, such as *In re International Air Transportation Surcharge Antitrust Litigation* (N.D. Cal.), *Air Cargo Shipping Services Antitrust Litigation* (E.D.N.Y.), *In re Cathode Ray Tube (CRT) Antitrust Litigation* (N.D. Cal.), and *In re Optical Disk Drive (ODD) Antitrust Litigation* (N.D. Cal.). He has represented patent owners and companies in infringement cases for patents covering video game controllers, Internet search functionality, secure mobile banking transactions, and telecommunications switches.

Current Cases:

- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill.)
- *In re German Auto Manufacturers Antitrust Litigation* (N.D. Cal.)
- *In re: Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)

Education:

- University of California, Davis, School of Law, Davis, California – J.D. – 2001
- State University of New York, Buffalo, Buffalo, New York – M.A. – 1994
- Duke University, Durham, North Carolina – A.B. – 1991

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- Federal Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Eastern District of Missouri

PEARSON, SIMON & WARSHAW, LLP

- U.S. District Court, Western District of Pennsylvania

Publications and Presentations:

- *The Hard Cell, Mobile banking and the Federal Circuit's "divided infringement" decisions*, Feb. 2013, Intellectual Property magazine, with Robert D. Becker.

Professional Associations and Memberships:

- American Bar Association

Languages:

- German (proficient)

PEARSON, SIMON & WARSHAW, LLP**ASSOCIATES****BOBBY POUYA**

Bobby Pouya is a civil litigator and trial lawyer in the firm's Los Angeles office, focusing on complex litigation, class actions, and consumer protection. Mr. Pouya has been an attorney with Pearson, Simon & Warshaw since 2006, and has extensive experience in representing clients in a variety of contexts. He has served as a primary member of the litigation team in multiple cases that resulted in class certification or a classwide settlement, including cases that involved high-technology products, consumer safety and false and misleading advertising. Mr. Pouya's success has earned him recognition by his peers as a Super Lawyers Rising Star (representing the top 2.5% of lawyers in Southern California age 40 or younger or in practice for 10 years or less) every year since 2008.

Mr. Pouya has served as one of the attorneys representing direct purchaser plaintiffs in several MDL antitrust cases, including *In re Polyurethane Foam Antitrust Litigation* (N.D. Ohio) and *In re Fresh and Processed Potatoes Antitrust Litigation* (D. Idaho). Mr. Pouya is actively involved in the prosecution of *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.) and *In re Broiler Chicken Antitrust Litigation* (N.D. Ill), and works as part of the lead counsel team on all aspects of litigation strategy. Mr. Pouya earned his Juris Doctorate from Pepperdine University School of Law in 2006, where he received a certificate in dispute resolution from the prestigious Straus Institute for Dispute Resolution and participated on the interschool trial and mediation advocacy teams, the Dispute Resolution Law Journal and the Moot Court Board.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *Higgins v. Paramount Pictures Corp.* (and related cases) (L.A. Sup. Ct.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill)
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.* (N.D. Cal.)

Education:

- Pepperdine University School of Law, Malibu, California – J.D. – 2006
- University of California, Santa Barbara, California – B.A., with honors – 2003

Recent Publications:

- *Should Offers Moot Claims?*, Daily Journal, Oct. 10, 2014
- *Central District Local Rules Hinder Class Certification*, Daily Journal, April 9, 2013

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California

PEARSON, SIMON & WARSHAW, LLP

- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association
- San Fernando Valley Bar Association

MICHAEL H. PEARSON

Michael H. Pearson is an associate in the firm's Los Angeles office, focusing on antitrust, personal injury, and business litigation. Mr. Pearson has represented clients in high-stakes personal injury, mass tort, and product liability cases.

Mr. Pearson received his Bachelor of Science degree from Tulane University in 2008, majoring in Finance with an Energy Specialization. He received his Juris Doctorate from Loyola Law School Los Angeles in 2011. Mr. Pearson is an active member in a number of legal organizations, including the American, Los Angeles County and San Fernando Valley Bar Associations, Consumer Attorneys of California, the Consumer Attorneys Association of Los Angeles and the Association of Business Trial Lawyers.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill)
- *In re German Auto Manufacturers Antitrust Litigation* (N.D. Cal.)
- *Tami Trepte v. Bionaire, Inc.* (Cal. Sup. Ct.)

Education:

- Loyola Law School Los Angeles, Los Angeles, California – J.D. – 2011
- Tulane University, New Orleans, Louisiana – B.S., *magna cum laude* – 2008

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

PEARSON, SIMON & WARSHAW, LLP

Professional Associations and Memberships:

- American Bar Association
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association
- San Fernando Valley Bar Association

PEARSON, SIMON & WARSHAW, LLP

BENJAMIN E. SHIFTAN

Benjamin E. Shiftan is a litigator in the firm's San Francisco office. Since joining the firm in 2014, Mr. Shiftan has focused on complex class action litigation, including antitrust, product defect, and consumer protection cases.

Prior to joining the firm, Mr. Shiftan litigated complex bad faith insurance cases for a national law firm. Before that, Mr. Shiftan served as a law clerk to the Honorable Peter G. Sheridan, United States District Court for the District of New Jersey, and worked for a mid-sized firm in San Diego.

Mr. Shiftan graduated from the University of San Diego School of Law in 2009. While in law school, he served as Lead Articles Editor of the San Diego International Law Journal and competed as a National Team Member on the Moot Court Board. Mr. Shiftan won the school's Paul A. McLennon, Sr. Honors Moot Court Competition. At graduation, he was one of ten students inducted into the Order of the Barristers. Mr. Shiftan graduated from the University of Virginia in 2006.

Current Cases:

- *In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation* (N.D. Cal.)
- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation* (N.D. Cal.)

Education:

- University of San Diego School of Law, San Diego, CA – J.D. – 2009
- University of Virginia, Charlottesville, VA – B.A. – 2006

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- San Francisco County Bar Association

PEARSON, SIMON & WARSHAW, LLP**MATTHEW A. PEARSON**

Matthew A. Pearson is an associate in the firm's Los Angeles office focusing on antitrust, consumer protection, copyright, and business litigation. Mr. Pearson has represented clients in a variety of different matters and works closely with clients, co-counsel, and opposing counsel on all aspects of litigation.

Mr. Pearson received his Bachelor of Science degree from the University of Arizona in 2010, majoring in Business Management. He received his Juris Doctorate from Whittier Law School in 2013. Mr. Pearson is an active member in a number of legal organizations, including the American Bar Association, American Association for Justice, Association of Business Trial Lawyers, Consumer Attorneys Association of Los Angeles, Consumer Attorneys of California, and the Los Angeles County Bar Association.

Current Cases:

- *In re KIND LLC “Healthy and All Natural” Litigation* (S.D.N.Y.)
- *In re Keurig Green Mountain Single-Serving Coffee Antitrust Litigation* (S.D.N.Y.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *Greg Kihn, et al. v. Bill Graham Archives, LLC, et al.* (N.D. Cal.)
- *Grace v. Apple, Inc.* (N.D. Cal.)

Education:

- Whittier Law School, California – J.D. – 2013
- University of Arizona: Eller College of Management – B.S.– 2010

Bar Admissions:

- California
- Ninth Circuit Court of Appeals
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

Professional Associations and Memberships:

- American Bar Association
- American Association for Justice
- Association of Business Trial Lawyers
- Consumer Attorneys Association of Los Angeles
- Consumer Attorneys of California
- Los Angeles County Bar Association

PEARSON, SIMON & WARSHAW, LLP**ALEXANDER L. SIMON**

Alexander L. Simon is a litigator in the firm's San Francisco office. Since joining the firm as a law clerk in 2013 and an attorney in 2015, Mr. Simon has focused on complex class action litigation, including antitrust, product defect, and consumer protection cases.

Mr. Simon graduated from Loyola Law School in 2015. While in law school, he served as the Chief Production Editor of the Loyola of Los Angeles Entertainment Law Review from 2014-2015. His comment titled *With Great Power Comes Great Responsibility: Gary Friedrich's Battle with Marvel For Artist Rights* was published by the law review that same year. In 2014, Mr. Simon also participated in Loyola Law School's Copyright Moot Court. Mr. Simon graduated from the University of California, Berkeley in 2009 where he was a member of Freshman Men's Crew during the 2005-2006 season. During his senior year of high school, he was the "two" seat of the Saint Ignatius College Preparatory Varsity 8 boat that won the US Rowing Youth Invitational National Championship.

Current Cases:

- *Senne, et al. v. Office of the Commissioner of Baseball, et al.* (N.D. Cal.)
- *In re Lithium Ion Batteries Antitrust Litigation* (N.D. Cal.)
- *Grace v. Apple, Inc.* (N.D. Cal.)

Education:

- Loyola Law School, Los Angeles, California – J.D. – 2015
- University of California, Berkeley, Berkeley, California – B.A. – 2009

Recent Publications:

- *With Great Power Comes Great Responsibility: Gary Friedrich's Battle with Marvel For Artist Rights*, 35 Loy. L.A. Ent. L. Rev. 211 (2015)

Bar Admissions:

- California
- U.S. District Court, Southern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California

Professional Associations and Memberships:

- San Francisco County Bar Association
- California Young Lawyers Association

Community Service:

- Prime Time Mock Trial Coach at Ralph Waldo Emerson Middle School in Los Angeles (2014)

PEARSON, SIMON & WARSHAW, LLP

- Volunteer at the Theatre of Terror (2013) and Raymond Hill Mortuary (2014) Haunted Houses benefiting the South Pasadena Arts Council and South Pasadena Educational Foundation

PEARSON, SIMON & WARSHAW, LLP

ERIC J. MONT

Eric J. Mont is an associate in the firm's Los Angeles office focusing on antitrust, consumer protection, and business litigation. Mr. Mont has represented clients in a variety of different matters and works closely with clients, co-counsel, and opposing counsel on all aspects of litigation.

Mr. Mont received his Bachelor of Science degree from Loyola Marymount University in 2012, majoring in Natural Science. He received his Juris Doctorate from UCLA in 2017.

Current Cases:

- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill)
- *Grace v. Apple, Inc.* (N.D. Cal.)
- *In re Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)

Education:

- University of California, Los Angeles, Los Angeles, CA– J.D. – 2017
- Loyola Marymount University, Los Angeles, CA– B.S.– 2012

Bar Admissions:

- California

Professional Associations and Memberships:

- American Bar Association

GIANNA N. LIDDY

Gianna N. Liddy is an associate in the firm's Los Angeles Office, focusing on antitrust, consumer, and business litigation.

Ms. Liddy received her Juris Doctorate from Southwestern Law School in 2017, where she graduated top of her class. While in law school, Ms. Liddy was awarded 2nd Place Appellate Brief in the school's Intramural Moot Court Competition. Ms. Liddy received her Bachelor of Science degree in Business Law, cum laude, from California State University of Northridge in 2012.

Current Cases:

- *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation* (S.D.N.Y.)
- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill)
- *In re Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D. N.M.)
-

PEARSON, SIMON & WARSHAW, LLP

Education:

- Southwestern Law School, Los Angeles, California – J.D. – 2017
- California University Northridge, Northridge, California – B.S. – 2012

Bar Admissions:

- California
- U.S. District Court, Central District of California

Professional Associations and Memberships:

- American Bar Association

JOSEPH C. BOURNE

Joseph C. Bourne is a litigator in the firm's Minneapolis office. Mr. Bourne focuses his practice on complex class action litigation, with an emphasis on antitrust, consumer fraud, product defect, and data privacy and security practices. Before joining the firm in 2018, Mr. Bourne was a partner at a Minneapolis law firm where his practice similarly focused on representing plaintiffs in antitrust and class action litigation.

Mr. Bourne has been nominated by his peers and recognized by Super Lawyers Magazine as a Minnesota Rising Star in the area of antitrust litigation every year since 2014. He is active in the legal community, serving as a volunteer attorney through the District of Minnesota and Federal Bar Association's Pro Se Project. In recognition of his commitment to pro bono work, Mr. Bourne was recognized as a North Star Lawyer by the Minnesota State Bar Association in 2013 and 2014.

Before entering private practice, Mr. Bourne served as a judicial law clerk to Judge Francis J. Connolly, and then to Chief Judge Edward Toussaint, Jr., at the Minnesota Court of Appeals. While in law school, Mr. Bourne served as an Articles Editor of the Minnesota Law Review.

Current Cases:

- *In re. Santa Fe Natural Tobacco Company Marketing, Sales Practices, and Products Liability Litigation* (D.N.M.)
- *Aguilera v. NuWave, LLC* (N.D. Ill.)
- *Stover v. Experian Holdings, Inc.* (C.D. Cal.)
- *Peterson v. Lyft, Inc.* (N.D. Cal.)

Education:

- University of Minnesota Law School – J.D., *magna cum laude* – 2009
- Emory University – B.A. – 2005

Publications:

PEARSON, SIMON & WARSHAW, LLP

- *Health Care's Invisible Giants: Pharmacy Benefit Managers*, The Federal Lawyer (2013) (Ellen Ahrens, coauthor)
- *Pro Se Litigation and the Costs of Access to Justice*, 39 Wm. Mitchell L. Rev. 32 (2012) (Dan Gustafson and Karla Gluck, coauthors)
- *Prosecutorial Use of Forensic Science at Trial*, 93 Minn. L. Rev. 1058 (2009)

Bar Admissions:

- Minnesota
- California
- Eighth Circuit Court of Appeals
- U.S. District Court, District of Minnesota
- U.S. District Court, Southern District of California
- U.S. District Court, Central District of California